

1 HONORABLE RICHARD A. JONES
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 DIANE L. MITCHELL-BETTINE,
11 Plaintiff,

12 v.
13 CAROLYN W. COLVIN, in her
14 capacity as Acting Commissioner of
Social Security,
Defendant.

CASE NO. C12-5279RAJ

ORDER

15 The court GRANTS Plaintiff's motion for attorney fees and expenses (Dkt. # 19),
16 noting that the Commissioner has filed a statement that it does not oppose the relief
17 Plaintiff requests.

18 The court awards Plaintiff EAJA fees of \$4,036.61 and expenses in the sum of
19 \$24.84. Subject to any offset allowed under the Treasury Offset Program, as discussed in
20 Astrue v. Ratliff, 130 S. Ct. 2521, 560 U.S. __ (2010), payment of this award shall be
21 sent to Plaintiff's attorney Eitan Kassel Yanich at his address: Eitan Kassel Yanich,
22 PLLC, 203 Fourth Avenue E., Suite 321, Olympia, WA. 98501.

23 After the Court issues the order for EAJA fees and expenses, the Commissioner
24 will consider the matter of Plaintiff's assignment of EAJA fees and expenses to
25 Plaintiff's attorney. Pursuant to *Astrue v. Ratliff*, the ability to honor the assignment will
26 depend on whether the EAJA fees and expenses are subject to any offset allowed under

27 ORDER – 1
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1 the Treasury Offset Program. The Commissioner agrees to contact the Department of
2 Treasury after the order for EAJA fees and expenses is entered to determine whether the
3 EAJA fees and expenses are subject to any offset. If the EAJA fees and expenses are not
4 subject to any offset, the EAJA attorney's fees and expenses will be paid directly to
5 plaintiff's attorney Eitan Kassel Yanich, either by direct deposit or by check payable to
6 him and mailed to his address.

7 Dated this 28th day of May, 2013.

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12 The Honorable Richard A. Jones
13 United States District Court Judge
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ORDER - 2